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The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JULIE DALESSIO, an individual,

Plaintiff,

v.

UNIVERSITY OF WASHINGTON,

Defendant.

Case No. 2:17-cv-00642 MJP

Plaintiff's Declaration re: **Surreply Motion to Strike re: Dkt. 27**,  
Defendant's Motion for Summary Judgment, and **Dkt. 45 Reply**

**Note on Motion Calendar: Sept 15, 2017**

I, Julie Dalessio, declare that I am over the age of 18, and I am competent to testify as to all matters herein. *I address my comments directly to the points as numbered and labeled in UW's reply (Dkt. 45)*

UW's reply brief (*Dkt. 45*) is full of impertinent, scandalous, misleading, false and prejudicial misrepresentations of this case, and of my motives and character. It is highly offensive and prejudicial, and should be stricken.

1           A. 1. UW's impertinent, scandalous inferences and assertions (*id p 2-3*) that Plaintiff  
2 "undoubtedly disagrees with the breadth of disclosure under the PRA" (*id p.2 line 23*) are  
3 highly offensive and prejudicial, and should be stricken. I am a strong supporter of the  
4 public's rights to know about the workings of our government. I believe that it's scandalous  
5 that a parent had to appeal to the Washington Supreme Court to be allowed to view the public  
6 records of the sexual abuse of her child.(in *Dkt. 45 p. 3* UW cited *Koenig 158 Wash. 2d*) The  
7 Court in *Koenig* agreed that personal identifiers should be redacted from public records, and I  
8 hope that the State agencies that retain custody of these records have complied with this  
9 restriction. While "people may sharply disagree about what should be disclosable under the  
10 PRA" (*Dkt. 45 p. 3*) **that is the very reason that the statutory exemptions for disclosure  
11 are in place.**

13           A. 2. UW's impertinent, scandalous assertions regarding my beliefs (*id p.3 line 13*)  
14 are highly offensive, misleading, and should be stricken.  
15

16           A. 3 UW's impertinent, scandalous assertions regarding my efforts to truthfully  
17 explain this case are highly offensive, false, misleading, and prejudicial, and should be  
18 stricken. (*id p.3-6*) **In particular:**  
19

20           a. I have never asserted that a public records employee intentionally and  
21 maliciously missed redacting my "social security number on a few pages" as misrepresented  
22 by UW. (*id p.4 line 7*) I'm highly offended that UW claims that *I* am accusing this employee

1 of malice who requested “OFFICER REVIEW” two times before releasing my personal  
2 information to my neighbor. (*Dkt. 30-7 p.3*) This is misleading, prejudicial and should be  
3 stricken.

4                   b. I have never complained that documents pertaining to my health (that were  
5 provided in the PR to my neighbor and published in the Court Records by Counsel for  
6 Defense) were “actually too redacted” as claimed by UW (*id p.4 line 23*) It is highly  
7 offensive that UW twists my statements like that. UW’s scandalous, confusing and  
8 misleading assertions regarding my claims should be stricken. (*id p.4 line 14-26*) I don’t  
9 even want to look up the cases cited by UW (*id p.5 line 1*) to find out who they are  
10 comparing me to (“Like the PUD employee in *Levine*, the paramedic in *Marthaller, supra*,  
11 and the child care provider in *Whaley v. State*, 90 Wn.App. 658, 663, P.2d 1100 (1998)”) (*id*  
12 *footnote 1*).  
13

14                   c. UW’s misleading assertion that my claims based on their negligent actions  
15 are “**newly-asserted**” (*id p.5 line 2*) is **untrue** and should be stricken. I have asserted these  
16 claims in my Complaint (*Dkt. 2-1*) and in more detail in initial disclosures. Additionally,  
17 UW’s impertinent characterizations and confusing and conclusory assertions here should be  
18 stricken. (*Dkt. 45 p.5-6*)  
19

20                   d. **UW falsely states** “These declarations are undisputed.” (*id p.6 line 8*)  
21 Plaintiff has disputed Exhibit A to Swenson’s Declaration (*Dkts. 30-1, 30-2, 32, 33, 34*) as an  
22

1 altered and incomplete representation of the Public Record. (*Dkts. 36, 42 and Dkt. 42 p.14,*  
2 *line 16*). UW's impertinent, scandalous, confusing and misleading assertions regarding this  
3 case should be stricken. (*id p.6*)  
4

5       **B. 1 - B. 3.** This entire section in UW's reply (*Dkt. 45 p.6-8*) is impertinent,  
6 misleading and prejudicial, and should be stricken. This is **particularly heinous** at p. 8 lines  
7 1-16 in which the UW concludes "There is no evidence that Dalessio was enrolled as a  
8 student at the University of Washington at this time" (*id p.8 line 14*) The UW admitted this  
9 fact in their Answer to my Complaint (*Dkt. 4 p.2 line 15-16*) but now denies it! I was a  
10 student at UW and my CV and a copy of my Diploma are included with my Declaration.  
11 (*Dkt. 43 Exh. 7*) My factual contentions have evidentiary support. The UW's denials of  
12 factual contentions cannot be based on any reasonable inquiries as required under FRCP  
13 11(b). I suffer prejudice if this is allowed to remain asserted in UW's Reply.  
14

15       **B. 4** a. This entire section in UW's reply (*Dkt. 45 p.8-10*) is impertinent,  
16 misleading, misrepresentation of my claims is prejudicial, and should be stricken. My  
17 statement of facts is the truth, it is supported by material evidence, and my claims in this case  
18 are all based on the actions of the UW in 2015-2017. If UW cannot understand my claims,  
19 they had the opportunity to ask for a more definite statement.

20           b. UW indicates that "a majority of the currently existing settlement  
21 agreements" (*id p.9 line 19*) contain terms barring complaints based on age or disability  
22

1 discrimination. This is additional evidence of UW's routine practices (FRE 406) of  
2 discrimination barring the civil rights of its employees.  
3

4 c. I have not argued that a ““hostile work environment” claim from 2003  
5 should be revived . . .” (*id p.9 line 22*) UW’s slanted emphasis on certain words of my  
6 statement along with their impertinent assertions regarding my work and my claims is  
7 prejudicial and should be stricken. (*id p.9-10*)  
8

9       **C.**      UW mischaracterizations of my attempts to present the facts is inappropriate  
10 and their misrepresentation of my claims is objectionable. In my statement that UW refers to  
11 (*id p.10 line 18*), I have presented a copy of the documents that **were contained** in my  
12 personnel file in 2002. Records that, according to UW policy, should be preserved for 50  
13 years.  
14

15           **Even more heinous, Counsel for UW** misquotes my statement to read “I  
16 would lie about the discrimination, retaliation and abuse that she instigated.” (*id p.11 line 1*)  
17 This is blatantly false representation, and **MUST be STRICKEN**.  
18

19           And **AGAIN**, UW wants to blot out all evidence of my career  
20 accomplishments (“this “evidence” should be stricken” (*id p.11 line 9*)) and/or the evidence  
21 of misbehavior, breach of contract, and discrimination? (*id p.11 line 26*)  
22

D. I have made three PR requests for records related to current and former UW employees, **not** 10 as UW claims. (*id p.11 line 13*) This evidence is entirely relevant to the issues of employee privacy and data security, and the routine practices of the UW. (FRE 406) Any “prejudice to the University” (*id p.11 line 20*) that results from the publication of this evidence of negligence and discrimination is justified.

I am not “trying to further confuse the issues in this case.” (*id p.11 line 16*)  
This should be stricken

E. There is nothing “mysterious[ly]” (*id p.11 line 24*) about my claims. This should be stricken.

UW's inappropriate remarks and misrepresentation of my claims and beliefs (*id p.12*) should be stricken. My arguments stem from my interpretations of the laws, and in an ideal world UW would abide by these laws.

I pray that going forward I will not be required to respond to these false, misleading, impertinent defenses. It makes me sick.

Dated: Sept. 20, 2017

Signed: \_\_\_\_\_ s/ julie dalessio

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